

CONSERVATION COMMISSION PUBLIC HEARING

October 25, 2011

FINAL

The meeting was called to order at 7:00 p.m. by the Chairperson, Jay Diener, at the Hampton Town Office Meeting Room. Commission Members present were Barbara Renaud, Sharon Raymond and Steve Scaturro. Alternates present were Diane Shaw and Gordon Vinther. Commission Members absent were Ellen Goethel and Peter Tilton Jr. Alternate Mark Loopley was absent. Rayann Dionne, Conservation Coordinator, was present. Brendan MacNamara was representing the Planning Board.

The Minutes of September 27, 2011 were accepted with corrections noted.

The site walk was held on Saturday, September 24, 2011 meeting at the Town Hall Parking Lot at 9:00 a.m.

1. 35 Harbor Rd
2. 446 High Street
3. 2 Nor'East Lane
4. 35 Huckleberry Rd
5. 152 North Shore Rd
6. 29 Park Ave
7. 51 Lafayette Rd
8. Aquarion

NHDES APPLICATIONS

- A. 2 Nor'East Lane
Wendy Geier, Owner
Henry Boyd - Agent

This is a Standard Dredge and Fill Application. This application is for the addition of a 5.8' x 18.58' deck and reduction of an existing 22' x 10' deck for a total reduction of 27 sq. ft. of decking. Mark West, West Environmental, addressed the Commission. After a brief presentation, Ms. Renaud motioned to not oppose the granting of the wetlands permit for the reconfiguration of an existing south-side deck, construction of a new ocean-side deck, and construction of a garage at 2 Nor'East Lane with the following stipulations:

1. All existing Rosa rugosa and dune grass on-site shall remain. The applicant has agreed to add this note to the proposed condition plan.
2. All sonotubes shall be installed by hand and the removed soils shall be disposed of properly.
3. The Commission shall be notified at the beginning and end of the project.

Ms. Shaw seconded the motion. Ms. Raymond amended the motion, keeping both the south side and ocean side decks remain open above and below. With Mr. Scaturro opposed, the remaining Commissioners were in favor.

SPECIAL PERMITS

- A. 2 Nor'East Lane
Wendy Geier, Owner
Henry Boyd - Agent

This special permit is for the addition of a 5.83' x 18.58' deck and reduction of an existing 22' x 10' deck for a total of 27 sq. ft. of decking. Mark West, West Environmental addressed the Commission. After the presentation, Ms. Renaud motioned to recommend the granting of the Special Permit (per plan signed and dated by the Chair) with the following stipulations:

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SPECIAL PERMITS (cont)

A. 2 Nor'East Lane (cont)

1. All existing Rosa rugosa and dune grass on-site shall remain. The applicant has agreed to add this note to the proposed conditions plan.
 2. All sonotubes shall be installed by hand and the removed soils shall be disposed of properly.
 3. The south-side and ocean-side decks shall remain open above and below.
- Ms. Raymond seconded the motion. With Mr. Scaturro opposed, the remaining Commissioners were in favor.

B. 35 Harbor Rd

Ronald Dube, Owner

This Special Permit is to repair one existing piling and replace another existing piling. The piling will be replaced using jet-in technique. The NHDES wetland permit for this project is still active. This project was originally approved under an August 2007 Town Special Permit. However, the owner was not able to complete the work within the permitted timeframe and did not renew his Town Special Permit. After reviewing the application, Mr. Scaturro recommended the granting of the Special Permit, seconded by Ms. Renaud. All were in favor.

C. 446 High Street

Chandler Rudd

This Special Permit is to move two utility sheds to edge of driveway. This is a deviation from an approved 2008 Special Permit. Ms. Raymond motioned to postpone this application to the November meeting at the applicant's request. Mr. Scaturro seconded the motion. All were in favor.

D. 35 Huckleberry Rd

Francis Provost

This Special Permit is an After-the-Fact addition of loam within the 50 ft. buffer. It is not common practice to permit any filling in the Wetland Conservation District (WCD). However, the Commission based on the site walk and review of site photos, was unanimous in its position that the relatively small amount of added loam does not alter the natural drainage pattern in this area. The Commission asked the applicant to remove the leaves that have been raked across the low stone wall and into the wetlands, and that he not store leaves there in the future. Ms. Renaud motioned to recommend the granting of this After-the-Fact application. Ms. Raymond seconded the motion. All were in favor.

PLANNING BOARD REFERRALS

A. 152 North Shore & 32 Seaview

Nicholas & Cornelia Bolton

The referral is for a three-lot subdivision and lot line adjustment. The Commission reviewed the three-lot subdivision plan for 152 North Shore Rd. as requested by the Planning Board. The proposed Lot 3, which contains wetlands, must meet the criteria set forth in Section 2.3.7 (Special Provisions) for newly created lots with the Wetland Conservation District (WCD). This provision contains three major criteria, however only two pertain to single dwelling lots. The Commission's review of the proposed lot lines for Lot 3 found that it is very unlikely that a total of 11,250 sq. ft. of land is available outside of the WCD and asked the Planning Board to confirm the accuracy of the calculations. The applicant is showing a 25 ft. wetlands buffer on a portion of their plan; however, the standard 50 ft. buffer must be included in the calculations. The Commission does not believe that the configuration of proposed Lot 3

PLANNING BOARD REFERRALS (Cont)

A. 152 North Shore Rd. (Cont)

The Commission does not believe that the configuration of proposed Lot 3 meets the necessary criteria to be classified as a buildable lot. Ms. Raymond motioned to not recommend granting this subdivision request until the applicant can clearly show the criteria has been fully met for the proposed Lot 3. Ms. Renaud seconded the motion. All were in favor.

APPOINTMENTS

A. 29 Park Ave.
Tom Burness

This appointment was to change an existing crushed stone driveway to permeable asphalt. A short discussion ensued. The Commission told the applicant that a Town Special Permit would be required if he decided to proceed with his plan to install a permeable pavement driveway. The Commission mentioned that he may need an Engineer or some other scientist (or perhaps the UNH Stormwater Center) to confirm for him that he has enough room above the water table to install an adequate bed for the permeable paving. Overall the consensus of the Commission was that they would support the use of porous asphalt if it could be constructed properly.

B. Aquarion
Carl McMorran - Representative

This appointment is for well exploration near White's Lane. Aquarion cancelled their appointment.

C. 51 Lafayette Rd.
Richard Finnerian
Thomas Lyons

This appointment is for a restoration plan for a wetland disturbance without approved Town or State permits. The discussion ensued on the steps necessary to stabilize and eventually restore the disturbed area within the Wetland Conservation District. Due to the time of year, the restoration of this site will need to occur in two phases. The first phase will be the removal of debris and general clean-up while the second phase will address whether re-grading and additional plantings are necessary. The following are necessary to begin phase 1 of the restoration process:

1. An updated plot plan identifying the area that has been disturbed and the current location of the stumps that have been extracted.
2. A narrative describing how the disturbed area will be cleaned-up, what type of equipment will be used, and what measures will be taken to ensure no further impact.
3. Any removal of the extracted stumps and other timber and/or debris occur during the winter months.
4. Documentation from a licensed Arborist showing that the existing trees are dead or diseased must be provided to the Commission before they can be taken down.
5. A Town Special Permit must include the above information and be approved by the Conservation Commission and Planning Board before any clean-up can begin.

PLANNING BOARD ACTIONS

- A. 1 Liberty Lane
Construction of parking lot with 51 parking spaces using porous pavement. Approved.

PLANNING BOARD ACTIONS (Con t)

- B. 140 Kings Highway - Unit 14 (Butternut Hollow)
Remove existing one-story building and construct two-story building above flood plain. Approved with Conservation stipulations.

ZONING BOARD ACTIONS - DECISIONS
None

DES ACTIONS

- A. 6 Meadow Pond Rd
Remove existing building and deck and construct a new single family residence. Approved.

OLD BUSINESS

- A. Ice Pond Dam - Draft RFP

Ms. Dionne will re-send this to the Commissioners and will put on the Agenda for the November meeting.

- B. Developing a Conservation Voluntary Monitoring Program

Ms. Dionne will develop a form. Looking for ideas for educational purposes.

- C. Wetland Conservation District Ordinance - Proposed Revisions

Ms. Dionne reviewed the Conservation Ordinance changes and deletions after her meeting with the Town Attorney. These changes were housekeeping issues. Ms. Raymond motioned to except the changes to the Ordinance, seconded by Mr. Scaturro. All were in favor.

NEW BUSINESS

CONSERVATION COORDINATOR UPDATE

TREASURER'S REPORT

There was no report given.

The next meeting of the Conservation Commission Public Hearing will be held on Tuesday, November 22, 2011, meeting in the Town Office Meeting Room. The site walk will be announced and will start at the Town Office Parking Lot.

Ms. Raymond motioned to adjourn at 10:15 p.m., seconded by Mr. Scaturro. All were in favor.

Respectfully submitted,

Sue Launi, Secretary